



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/535,573	03/27/2000	Robert A. Foster	M-4540-1C US	3655

7590 07/05/2006

MACPHERSON KWOK CHEN & HEID LLP
1762 TECHNOLOGY DRIVE
SUITE 226
SAN JOSE, CA 95110

EXAMINER

NGUYEN, CUONG H

ART UNIT PAPER NUMBER

3661

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

09/535,573

Examiner

CUONG H. NGUYEN

Applicant(s)

FOSTER, ROBERT A.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/05/06.
2. ☒ The allowed claim(s) is/are pending claims 47-86.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

CUONG H. NGUYEN
Primary Examiner
Art Unit: 3661

DETAILED ACTION

1. This Office Action is the answer to the 37 CFR 1.132 amendment received on 5/05/2006.
2. In the Notice of Allowance (mailed on 3/06/06), item 1 should be read as “the Terminal Disclaimer (US Pat. 6,052,672)”.

Status of the claims

3. Claims 47-86 are pending.

Allowable Subject Matter & Reasons for Allowance

4. Independent claim 1 is patentable over the closest references of Moore et al., and Burt et al because they do not anticipate nor fairly and reasonably teach a method for providing a database suitable for pricing transactions, besides other limitations, comprising:

creating a transaction instance corresponding to a transaction;

creating a first production service instance representing an action performed to process said transaction, said first production service instance being linked to said transaction instance by a first relation instance; and

creating a billing service instance representing a billing service related to a pricing of said first production service, said billing service instance being linked to said first production service instance by a second relation instance.

The reason for allowance is cited prior art ‘s combination of financial transactions and specific programming techniques are not obvious in order to disclose or suggest specific data structures necessary for pricing complex transaction.

5. Independent claim 68 is patentable over the closest references of Moore et al. and Burt et al. because they do not anticipate nor fairly and reasonably teach a database data processing system for pricing transactions, said data processing system comprising:

means for creating a transaction instance corresponding to a transaction;

means for creating a first production service instance representing an action performed to process said transaction, said first production service instance being linked to said transaction instance by a first relation instance; and

means for creating a billing service instance representing a billing service related to a pricing of said first production service, said billing service instance being linked to said first production service instance by a second relation instance.

Moore et al., or Burt et al. do not disclose a motivation to combine above means for creating a transaction instance, means for creating a first production service instance, and means for creating a billing service instance as the claim taught.

6. Claims 48-67, and 69-86 are allowed because they are dependent on claims 47, and 68.

7. Claims 47-86 are patentable. They are renumbered as claims 1-40, in that order.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Serial No. 09/535,573

Art Unit 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661